

**IN THE CLAIMS**

*The following listing of the claims replaces all previous claim versions and listings:*

1. (Currently Amended) A method for selecting an item for a user, comprising the steps of:  
  
providing a first item to said user;  
  
analyzing at least one of audio and video information focused on said user to identify predefined negative behavior suggesting that said user does not like said first item; and  
  
selecting an alternate item if said predefined negative behavior is detected,  
  
wherein the alternate item is selected based on previously stored viewing preferences of the user.
2. (Original) The method of claim 1, wherein the first item and the alternate item are media content selections.
3. (Cancelled)
4. (Original) The method of claim 1, wherein said predefined negative behavior includes auditory commands.
5. (Original) The method of claim 1, wherein said predefined negative behavior includes gestural commands.

6. (Original) The method of claim 1, wherein said predefined negative behavior includes deriving user preferences from a facial expression of said user.

7. (Original) The method of claim 1, wherein said selecting step is performed by a program content recommender.

8. (Currently Amended) A method for selecting an item for a user, comprising the steps of:

providing a first item to said user;

monitoring said user using at least one of an audio and a video device focused on said user to determine whether said user likes said first item; and

selecting an alternate item if said user demonstrates behavior suggesting that said user does not like said first item,

wherein the alternate item is selected based on previously stored viewing preferences of the user.

9. (Original) The method of claim 8, further comprising the step of defining a plurality of predefined negative behavior suggesting that said user does not like said first item.

10. (Original) The method of claim 8, wherein said first and alternate items are media content selections.

11. (Cancelled)

12. (Original) The method of claim 8, wherein said predefined negative behavior includes auditory commands.

13. (Original) The method of claim 8, wherein said predefined negative behavior includes gestural commands.

14. (Original) The method of claim 8, wherein said predefined negative behavior includes deriving user preferences from a facial expression of said user.

15. (Original) The method of claim 8, wherein said selecting step is performed by a program content recommender.

16. (Currently Amended) A system for selecting an item for a user, comprising:  
a memory for storing computer readable code and said user profile; and  
a processor operatively coupled to said memory, said processor configured to:  
provide a first item to said user;  
analyze at least one of audio and video information focused on said user to  
identify predefined negative behavior suggesting that said user does not like said first item; and  
select an alternate item if said predefined negative behavior is detected,  
wherein the alternate item is selected based on previously stored viewing preferences of  
the user.

17. (Currently Amended) A system for selecting an item for a user, comprising:

- an audio and a video device focused on a user;
- a memory for storing computer readable code and said viewer profile; and
- a processor operatively coupled to said memory, said processor configured to:
  - provide a first item to said user;
  - monitor said user using at least one of an audio and video device focused on said user to determine whether said user likes said first item; and
  - select an alternate item if said user demonstrates behavior suggesting that said user does not like said first item,

wherein the alternate item is selected based on previously stored viewing preferences of the user.

18. (Original) The system of claim 17, wherein said processor is further configured to define a plurality of predefined negative behavior suggesting that said user does not like said first item.

19. (Currently Amended) An article of manufacture for selecting an item for a user, comprising:

- a computer readable medium having computer readable code means embodied thereon, said computer readable program code means comprising:
  - a step to provide a first item to said user;
  - a step to analyze at least one of audio and video information focused on said user

to identify predefined negative behavior suggesting that said user does not like said first item;  
and

a step to select an alternate item if said predefined negative behavior is detected,  
wherein the alternate item is selected based on previously stored viewing preferences of  
the user.

20. (Currently Amended) An article of manufacture for selecting an item for a user,  
comprising:

a computer readable medium having computer readable code means embodied thereon,  
said computer readable program code means comprising:

a step to provide a first item to said user;

a step to monitor said user using at least one of audio or video information  
generated by an audio or video device to determine whether said user likes said first item; and

a step to select an alternate item if said user demonstrates behavior suggesting that  
said user does not like said first item,

wherein the alternate item is selected based on previously stored viewing preferences of  
the user.